

IC 36-10-13

Chapter 13. Cultural Institutions

IC 36-10-13-1

"Art association"

Sec. 1. As used in this chapter, "art association" means a nonprofit corporation organized under Indiana law to:

- (1) maintain a permanent art gallery; and
- (2) promote education in the fine and industrial arts;

that owns, possesses, or maintains property for those purposes.

As added by P.L.1-2005, SEC.48.

IC 36-10-13-2

"Cultural institution"

Sec. 2. As used in this chapter, "cultural institution" means a historical society, an art association, or other nonprofit corporation organized under Indiana law to further the cultural development of the public.

As added by P.L.1-2005, SEC.48.

IC 36-10-13-3

"Historical society"

Sec. 3. As used in this chapter, "historical society" means a nonprofit corporation organized under Indiana law to:

- (1) maintain a permanent historical museum; and
- (2) promote a knowledge of local ancestral heritage and custom;

that owns, possesses, or maintains property for those purposes.

As added by P.L.1-2005, SEC.48.

IC 36-10-13-4

School corporations in certain counties; appropriation for historical society authorized

Sec. 4. (a) This section does not apply to a school corporation in a county having a population of more than two hundred thousand (200,000) but less than three hundred thousand (300,000).

(b) The governing body of a school corporation may annually appropriate, from the school corporation's general fund, a sum of not more than five-tenths of one cent (\$0.005) on each one hundred dollars (\$100) of assessed valuation in the school corporation to be paid to a historical society, subject to section 6 of this chapter.

As added by P.L.1-2005, SEC.48.

IC 36-10-13-5

School corporations in certain counties; tax levy; historical society fund; appropriation for historical society authorized

Sec. 5. (a) This section applies only to a school corporation in a county having a population of more than two hundred thousand (200,000) but less than three hundred thousand (300,000).

(b) To provide funding for a historical society under this section, the governing body of a school corporation may impose a tax of not

more than five-tenths of one cent (\$0.005) on each one hundred dollars (\$100) of assessed valuation in the school corporation.

(c) A tax under this section is not subject to the tax levy limitations imposed on the school corporation by IC 6-1.1-19-1.5 or IC 21-2-11-8.

(d) The school corporation shall deposit the proceeds of the tax in a fund to be known as the historical society fund. The historical society fund is separate and distinct from the school corporation's general fund and may be used only to provide funds for a historical society under this section.

(e) Subject to section 6 of this chapter, the governing body of the school corporation may annually appropriate the money in the fund to be paid in semiannual installments to a historical society having facilities in the county.

As added by P.L.1-2005, SEC.48.

IC 36-10-13-6

Prerequisites for receipt of payment

Sec. 6. Before a historical society may receive payments under sections 4 and 5 of this chapter, the historical society's governing board must adopt a resolution that entitles:

- (1) the governing body of the school corporation to appoint the school corporation's superintendent and one (1) history teacher as visitors who may attend all meetings of the society's governing board;
- (2) the governing body of the school corporation to nominate two (2) individuals for membership on the society's governing board;
- (3) the school corporation to use the society's facilities and equipment for educational purposes consistent with the society's purposes;
- (4) the students and teachers of the school corporation to tour the society's museum, if any, free of charge; and
- (5) the school corporation to borrow artifacts from the society's collection, if any, for temporary exhibit in the schools.

As added by P.L.1-2005, SEC.48.

IC 36-10-13-7

School corporations in certain counties; tax levy; art association fund; appropriation for art association authorized; prerequisites for receipt of payments

Sec. 7. (a) This section applies to school corporations in a county containing a city having a population of:

- (1) more than one hundred fifty thousand (150,000) but less than five hundred thousand (500,000);
- (2) more than one hundred twenty thousand (120,000) but less than one hundred fifty thousand (150,000);
- (3) more than ninety thousand (90,000) but less than one hundred five thousand (105,000);
- (4) more than one hundred five thousand (105,000) but less than

one hundred twenty thousand (120,000); or
(5) more than seventy-five thousand (75,000) but less than ninety thousand (90,000).

(b) To provide funding for an art association under this section, the governing body of a school corporation may impose a tax of not more than five-tenths of one cent (\$0.005) on each one hundred dollars (\$100) of assessed valuation in the school corporation. The tax is not subject to the tax levy limitations imposed on the school corporation by IC 6-1.1-19-1.5 or IC 21-2-11-8.

(c) The school corporation shall deposit the proceeds of the tax imposed under subsection (b) in a fund to be known as the art association fund. The art association fund is separate and distinct from the school corporation's general fund and may be used only to provide funds for an art association under this section. The governing body of the school corporation may annually appropriate the money in the fund to be paid in semiannual installments to an art association having facilities in a city that is described in subsection (a), subject to subsection (d).

(d) Before an art association may receive payments under this section, the association's governing board must adopt a resolution that entitles:

- (1) the governing body of the school corporation to appoint the school corporation's superintendent and director of art instruction as visitors who may attend all meetings of the association's governing board;
- (2) the governing body of the school corporation to nominate individuals for membership on the association's governing board, with at least two (2) of the nominees to be elected;
- (3) the school corporation to use the association's facilities and equipment for educational purposes consistent with the association's purposes;
- (4) the students and teachers of the school corporation to tour the association's museum and galleries free of charge;
- (5) the school corporation to borrow materials from the association for temporary exhibit in the schools;
- (6) the teachers of the school corporation to receive normal instruction in the fine and applied arts at half the regular rates charged by the association; and
- (7) the school corporation to expect exhibits in the association's museum that will supplement the work of the students and teachers of the corporation.

A copy of the resolution, certified by the president and secretary of the association, must be filed in the office of the school corporation before payments may be received.

(e) A resolution filed under subsection (d) is not required to be renewed annually. The resolution continues in effect until rescinded. An art association that complies with this section is entitled to continue to receive payments under this section as long as the art association complies with the resolution.

(f) If more than one (1) art association in a city that is described

in subsection (a) qualifies to receive payments under this section, the governing body of the school corporation shall select the one (1) art association best qualified to perform the services described in subsection (d). A school corporation may select only one (1) art association to receive payments under this section.

As added by P.L.1-2005, SEC.48.

IC 36-10-13-8

School corporations in certain counties; appropriation for cultural institution authorized; prerequisites for receipt of payments

Sec. 8. (a) This section applies to school corporations in a county:

- (1) containing a consolidated city; or
- (2) having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).

(b) Subject to subsection (c), the governing body of a school corporation may annually appropriate sums to be paid to cultural institutions that are reasonably commensurate with the educational and cultural contributions made by the institutions to the school corporation and the school corporation's students.

(c) Before a cultural institution may receive payments under this section, the president and secretary of the cultural institution must file with the school corporation an affidavit stating that the cultural institution meets the following requirements:

- (1) The governing board has adopted a resolution that entitles a representative of the school corporation to attend and speak at all meetings of the governing body.
- (2) The cultural institution:
 - (A) admits the public to galleries, museums, and facilities at reasonable times and allows public use of those facilities free of charge; or
 - (B) provides alternative services free of charge to the public instead of admission to those facilities.

The governing body of the school corporation shall judge whether the alternative services are conducive to the education or cultural development of the public.

- (3) The cultural institution has a permanent location in the municipality where the cultural institution conducts the cultural institution's principal educational or cultural purpose.

- (4) The cultural institution has no general taxing authority.

The affidavit must be filed at least thirty (30) days before a request for an appropriation under this section.

(d) A cultural institution that complies with this section may continue to receive payments under this section as long as the school corporation appropriates sums for that purpose.

As added by P.L.1-2005, SEC.48.